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UNCLAS SECTION 01 OF 02 ASHGABAT 001387

SIPDIS

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SUBJECT: TURKMENISTAN'S GOVERNMENT PUBLISHES NEW LAWS ON
WOMEN'S RIGHTS AND TRAFFICKING IN PERSONS

11. (U) Sensitive but unclassified. Not for public Internet

12. (U) Turkmenistan's official Russian-language government newspaper, "Neutrallyy Turkmenistan," published two new laws on December 19 and 20: the 26-article "Law of Turkmenistan on State Guarantees of Equal Rights of Women" and the 20-article "Law on the Battle against Trafficking in Persons." Both laws are totally new, rather than amended versions of previously existing legislation. They have both been on the drafting list for the Third Session of the Mejlis (Parliament) since 2005, with the Committee on Economic and Social Policy tasked to develop the law on women's rights, and the Committee for International and Interparliamentary Contacts responsible for the trafficking law. These are the first new laws that have been published since the Presidential Law was passed in early July.

13. (SBU) At first glance, the Law on Women's Rights appears to have been an original government draft, rather than a version developed in coordination with an international organization partner. Post knows that Turkmenistan had been working with the UNDP on this law, but, according to the legal advisor at the OSCE Center in Ashgabat, the law that was published does not reflect any portion of the 40-article draft that the UNDP put forward in June 2007. The law bans discrimination against women and does not permit violent or illegal interference in the personal life of a woman or infringement on her honor, worthiness and reputation. The law enumerates a variety of rights in the area of family, work, education, health, and civil sphere. For example, it states, equal to men, women have a right to determine their attitude toward religion, believe any religion or none at all, and freely express their own opinions and views. Wives are equal in family relations. Women, on a volunteer basis, have the right to fulfill their constitutional responsibility to defend the Fatherland by entering the armed forces. The state guarantees healthy and safe working conditions, including for pregnant women and mothers. The state creates for women conditions equal to men for access to the

management ranks of businesses and for opportunities to work in government. The law also says the principle of equality in work activity extend to housework, which should not serve as a means of discrimination against women and can be conducted equally by men and women.

14. (SBU) Post also knows that the individual from the Mejlis responsible for the trafficking-in-persons (TIP) law participated in an INL-funded DOJ/OPDAT study tour to the United States in November 2006, and that DOJ gave him materials on U.S. trafficking legislation at his request during the visit. The law defines various terms related to TIP, including trafficking in persons, trafficker, victim, recruitment, and slavery. It outlines the various methods and forms of exploitation of victims of trafficking. The law names the General Procurator, Ministry of Internal Affairs, Ministry of National Security, State Border Service, State Service for Registration of Foreign Citizens, and the MFA as among the state entities involved in the fight against TIP. The measures to be adopted to fight TIP are monitoring the problem; developing and implementing programs aimed at prevention; cooperating with civic organizations working in this sphere; educational programs; and increasing information about situations in which one could potentially fall victim, government measures to prevent it, and criminal and administrative penalties. The law promises aid to victims such as medical, psychological, professional rehabilitation, and assistance in finding work. It also says Turkmenistan will cooperate with foreign states and their law-enforcement and other agencies in the fight against TIP.

15. (SBU) COMMENT: Post will follow up with analysis septel after talking to locally based experts. Much of what is

ASHGABAT 00001387 002 OF 002

contained in these laws is very positive. However, other countries, which have been dealing with the issue of women rights for a much longer time, still are trying to put good words into practice. The commitment to work with international partners on TIP gives an opening for new U.S. programs in this area. END COMMENT.
HOAGLAND